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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/563,093	12/30/2005	Toshiyuki Noguchi	00862.103702.	8149
5514 7590 06/04/2010 FITZPATRICK CELLA HARPER & SCINTO 1290 Avenue of the Americas NEW YORK, NY 10104-3800				
EXAMINER				
TOWFIGHL, AF'SHAWN M				
ART UNIT		PAPER NUMBER		
2458				
MAIL DATE		DELIVERY MODE		
06/04/2010		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/563,093

**Applicant(s)**

NOGUCHI, TOSHIYUKI

**Examiner**

AFSHAWN TOWFIGHI

**Art Unit**

2458

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 02 March 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 37-39 and 41-44 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 37-39 and 41-44 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB-08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

1. Claims 37-39 and 41-44 are pending.
2. Claim 40 is cancelled.

***Response to Arguments***

3. Applicant's arguments with respect to 35 U.S.C 101 have been fully considered and are persuasive. The 101 rejection of claim 44 has been withdrawn.
4. Applicant's arguments filed with respect to claims 37-39 and 41-44 have been fully considered but they are not persuasive.

On page 11 of the applicant's response the applicant argues that Bernklau does not teach the new limitations of acquiring accessory information while the printer is executing. Bernklau teaches Col 1 Lines 22-29 that the printer support system is used for example during a printer jam. A printer jam occurs while the printer is executing a print job, and therefore support does happen while the printer is executing printing.

On page 11 of the applicant's response, the applicant argues that the support server may at best correspond to the service providing apparatus. The examiner respectfully disagrees, and points that the support server in Bernklau is the transport server, and the solution databases Fig 4 are the service providing apparatuses. See citations is the newly amended claims.

On page 11 of the applicant's response, the applicant argues that the support server merely transmits a link to a solution back the printer but the link does not have the accessory information added there to and does not correspond to the second address. The examiner respectfully disagrees. The second address is the database Col 14 Lines 10-29, the link that is sent to the printer is the location of the database where the diagnostic information was added to (the customer profile and session information with rules engine information is part of the database). The accessory information was added to the support server from the printer, and from the support server it was added to the databases (116-124). Therefore, Bernklau teaches the argued limitations of claim 37.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 37-39 and 41-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bernklau-Halvor (Patent No: 6,782,495), herein after Bernklau, and further in view of Bigi (Pub No: 2002/0085223).

**As to claim 37**, Bernklau teaches an online service system comprising: a client terminal (Bernklau, Col 2 Lines 48-50, a user computer connected to a printer); a transfer server (Bernklau, Col 2 Lines 26-29 and 53-55, the support server); and a plurality of service

providing apparatuses each capable of communicating via a network (Bernklau, Figure 4, and Col 13 Lines 47 - Col 14 Lines 63, apparatuses/databases for service) wherein the client terminal is connected with a device (Bernklau, Col 2 Lines 48-50, a user computer connected to a printer), and the client terminal comprises: an acquisition unit that acquires, as accessory information(Bernklau, Col 2 Lines 24-27, information associated with the printer is gathered, ink remaining amount of the printer (Bernklau, Table 1 Line 20, acquired information includes ink and ink levels) while the printer is executing printing (Bernklau, Col 1 Lines 22-29, problems that a user would need support for are printer jams which occur while a printer is executing); a first transmission unit that transmits the acquired accessory information to the transfer server by using a first address for accessing the transfer server, the accessory information being added to the first address (Bernklau, Col 2 Lines 26-29 and 53-55, a URL argument added where the printer sends the acquired information to the support server. The address is the URL); a reception unit that receives, from the transfer server, a second address to which the accessory information is added, the second address for accessing a service providing apparatus designated by the transfer server (Bernklau, Col 2 Lines 62-25, support links are selected by the printer user which adds a URL argument to request a webpage. The URL for the solution is the second address); and a second transmission unit that transmits the accessory information to the designated service providing apparatus by using the second address, wherein the transfer server comprises: an address generation unit that designates one of the plurality of service providing apparatuses based on the accessory information added to the first address, and

generates the second address by adding the accessory information to an address for accessing the designated service providing apparatus (Bernklau, Col 14 Lines 10-29, the client transmits information to the infoSMART (service providing apparatus) database to access it and use it to find a solution); and a notification unit that notifies the client terminal of the second address (Bernklau, Col 2 Lines 54-65, the webpage is returned to the user), and wherein the service providing apparatus comprises: a screen information generation unit that generates screen information of the accessories of the device based on the accessory information added to the second address, when the access by using the second address is received from the client terminal (Bernklau, Col 2 Lines 54-65, the service providing databases comprise webpages(screen information)); and a screen information transmission unit that transmits the generated screen information to the client terminal (Bernklau, Col 2 Lines 54-65, the webpage is returned to the user for display). Bernklau does not teach acquiring a printer driver language to communicate with a printer. Bigi teaches acquiring a printer driver language to communicate with a printer (Bigi, [0007], a printer driver tells the printer language, The system would not be able to interact with the printer if it didn't have the printer language from the driver). It would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Bernklau and Bigi to use printer language information because Bigi teaches that without printer

**As to claim 38**, Bernklau and Bigi teaches wherein the client terminal has driver software of the printer, and acquisition processing by the acquisition unit is executed

according to the driver software (Bernklau, Col 2 Lines 21-23, the printer driver handles request for printer support service)

**As to claim 39,** Bernklau and Bigi teaches wherein the screen information generation unit generates the screen information for displaying icons corresponding to the ink remaining amount (Bernklau, Col 2 Lines 48-65, pages are sent between the support server and the user. The support server constructs and sends access information (links) to the solution service to the user through a page displayed in a browser. The displayed information is a visual representation of the information.

**As to claim 41,** Bernklau teaches a client terminal connected with a device (Bernklau, Col 2 Lines 48-50, a user computer connected to a printer) and being capable of communicating with a transfer server (Bernklau, Col 2 Lines 26-29 and 53-55, the support server) and a service providing apparatus network (Bernklau, Figure 4, and Col 13 Lines 47 - Col 14 Lines 63, apparatuses/databases for service), the client terminal comprising: an acquisition unit that acquires, as accessory information(Bernklau, Col 2 Lines 24-27, information associated with the printer is gathered, ink remaining amount of the printer (Bernklau, Table 1 Line 20, acquired information includes ink and ink level(s)) while the printer is executing printing (Bernklau, Col 1 Lines 22-29, problems that a user would need support for are printer jams which occur while a printer is executing) a first transmission unit that transmits the acquired accessory information to the transfer

server by using a first address for accessing the transfer server, the accessory information being added to the first address (Bernklau, Col 2 Lines 26-29 and 53-55, a URL argument added where the printer sends the acquired information to the support server. The address is the URL); an address reception unit that receives, from the transfer server, a second address to which the accessory information added to the first address is added, the second address for accessing a service providing apparatus designated by the transfer server based on the accessory information (Bernklau, Col 2 Lines 62-25, support links are selected by the printer user which adds a URL argument to request a webpage. The URL for the solution is the second address); a second transmission unit that transmits the accessory information to the designated service providing apparatus by using the second address to which the accessory information is added (Bernklau, Col 14 Lines 10-29, the client transmits information to the infoSMART (service providing apparatus) database to access it and use it to find a solution); and a screen information reception unit that receives screen information on the accessories of the device from the service providing apparatus, the screen information being generated by the service providing apparatus based on the accessory information transmitted by the second transmission unit (Bernklau, Col 2 Lines 54-65, the service providing databases comprise webpages(screen information) that gets received and displayed by the user). Bernklau does not teach acquiring a printer driver language to communicate with a printer. Bigi teaches acquiring a printer driver language to communicate with a printer (Bigi, [0007], a printer driver tells the printer language. The system would not be able to interact with the printer if it didn't have the printer language from the driver). It



would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Bernklau and Bigi to use printer language information because Bigi teaches that without printer

**As to claim 42**, Bernklau and Bigi teaches wherein the accessory information of the printer includes model information of the printer (Bernklau, Table 1 Line 5, Printer type), the screen information on the accessories of the device is generated by the service providing apparatus according to the ink remaining amount information (Bernklau, Table 1 Line 20, acquired information includes ink and ink levels) and model information among the accessory information (Bernklau, Table 1 Line 5, Printer type).

**As to claim 43**, Bernklau teaches a method for a client terminal connected with a device and being capable of communicating with a transfer server and a service providing apparatus, the method comprising: acquiring, as accessory information (Bernklau, Col 2 Lines 24-27, information associated with the printer is gathered), ink remaining amount of the printer (Bernklau, Table 1 Line 20, acquired information includes ink and ink levels) while the printer is executing printing (Bernklau, Col 1 Lines 22-29, problems that a user would need support for are printer jams which occur while a printer is executing); a first transmission step of transmitting the acquired accessory information to the transfer server by using a first address for accessing the transfer server, the accessory information being added to the first address (Bernklau,

Col 2 Lines 26-29 and 53-55, a URL argument added where the printer sends the acquired information to the support server. The address is the URL);

a first reception step of receiving, from the transfer server, a second address to which the accessory information added to the first address is added, the second address for accessing a service providing apparatus designated by the transfer server based on the accessory information (Bernklau, Col 2 Lines 62-25, support links are selected by the printer user which adds a URL argument to request a webpage. The URL for the solution is the second address); a second transmission step of transmitting the accessory information to the designated service providing apparatus by using the second address to which the accessory information is added (Bernklau, Col 14 Lines 10-29, the client transmits information to the infoSMART (service providing apparatus) database to access it and use it to find a solution); and a second reception step of receiving screen information on the accessories of the device from the service providing apparatus, the screen information being generated by the service providing apparatus based on the accessory information transmitted by the second transmission step (Bernklau, Col 2 Lines 54-65, the service providing databases comprise webpages(screen information) that gets received and displayed by the user).

Bernklau does not teach acquiring a printer driver language to communicate with a printer. Bigi teaches acquiring a printer driver language to communicate with a printer (Bigi, [0007], a printer driver tells the printer language. The system would not be able to interact with the printer if it didn't have the printer language from the driver). It would have been obvious to one of ordinary skill in the art at the time of invention to combine

the teachings of Bernklau and Bigi to use printer language information because Bigi teaches that without printer

**As to claim 44**, Bernklau teaches a non-transitory computer-readable storage medium on which is stored a program for causing a computer to execute a method for a client terminal connected with a device and being capable of communicating with a transfer server and a service providing apparatus, the method comprising: acquiring, as accessory information(Bernklau, Col 2 Lines 24-27, information associated with the printer is gathered, ink remaining amount of the printer (Bernklau, Table 1 Line 20, acquired information includes ink and ink levels) while the printer is executing printing (Bernklau, Col 1 Lines 22-29, problems that a user would need support for are printer jams which occur while a printer is executing); a first transmission step of transmitting the acquired accessory information to the transfer server by using a first address for accessing the transfer server, the accessory information being added to the first address (Bernklau, Col 2 Lines 26-29 and 53-55, a URL argument added where the printer sends the acquired information to the support server. The address is the URL); a first reception step of receiving, from the transfer server, a second address to which the accessory information added to the first address is added, the second address for accessing a service providing apparatus designated by the transfer server based on the accessory information (Bernklau, Col 2 Lines 62-25, support links are selected by the printer user which adds a URL argument to request a webpage. The URL for the solution is the second address); a second transmission step of transmitting the

accessory information to the designated service providing apparatus by using the second address to which the accessory information is added (Bernklau, Col 2 Lines 54-65, the support server uses the information sent to it to generate URL's for solutions (second addresses)); and a second reception step of receiving screen information on the accessories of the device from the service providing apparatus, the screen information being generated by the service providing apparatus based on the accessory information transmitted by the second transmission step (Bernklau, Col 2 Lines 54-65, the service providing databases comprise webpages(screen information) that gets received and displayed by the user). Bernklau does not teach acquiring a printer driver language to communicate with a printer. Bigi teaches acquiring a printer driver language to communicate with a printer (Bigi, [0007], a printer driver tells the printer language. The system would not be able to interact with the printer if it didn't have the printer language from the driver). It would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Bernklau and Bigi to use printer language information because Bigi teaches that without printer

### **Conclusion**

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to AFSHAWN TOWFIGHI whose telephone number is (571)270-7296. The examiner can normally be reached on Monday - Friday 8:00 A.M. to 5:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph E. Avellino can be reached on (571)272-3905. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/A. T./  
Examiner, Art Unit 2458

/Joseph E. Avellino/  
Supervisory Patent Examiner, Art Unit 2458